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#### REMARKS

Claims 1-10, 20-23, 25, 26 and 30-36 were indicated to be pending in the previous Office Action mailed October 23, 2002. Previously pending claims 1-10, 20-23, 25, 26 and 30-36 are cancelled herein without prejudice to Applicant pursuing such claims in a related application. New claims 37-102 have been added. Support for the new claims can be found throughout the specification and the claims as filed. In particular, support for the new claims can be found, for example, in original claims 1 and 30-36 and on page 8, lines 1-2; page 12, lines 4-5 and 24-25. Accordingly, these new claims do not raise an issue of new matter and entry thereof is respectfully requested.

#### Regarding the Abandonment

A Notice of Abandonment was issued dated May 16, 2003. In a telephone conversation with Examiner Einsmann and Applicant's representative on July 14, 2003, the Examiner indicated the abandonment was issued in error and was being corrected.

#### Double Patenting

The provisional rejection of claims 1-10, 20-22 and 30-36 under the judicially created doctrine of obviousness-type double patenting over claims 1-56 in copending application serial No. 09/932,976 is respectfully

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traversed. It is respectfully submitted that this rejection has been rendered moot by the cancellation of these claims.

Rejections Under 35 U.S.C. § 102

The rejection of claim 1 under 35 U.S.C. § 102(b) as allegedly anticipated by Matsushita, JP 60-250906 (English translation), is respectfully traversed. Applicant submits that the rejection of this claim has been rendered moot by the cancellation of this claim and respectfully requests that this rejection be withdrawn.

With regard to new claims 37-102, Matsushita does not teach a kit containing a first aqueous solution consisting of a specifically recited metal salt solution and a second aqueous solution consisting of the oxidizing agent solution sodium hydroxide or tannic acid. Furthermore, Matsushita does not teach a kit comprising a first component consisting of a measured amount of a specifically recited metal salt, in powder or tablet form, and a second component consisting of a measured amount of the oxidizing agent sodium hydroxide or tannic acid, in powder or tablet form. Therefore, Matsushita cannot anticipate new claims 37-102.

The rejection of claims 3-7, 9, 10 and 30-36 under 35 U.S.C. § 102(b) as allegedly anticipated by Brown, U.S. Patent No. 5,173,085, is respectfully traversed. Applicant submits that the rejection of this claim has been

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rendered moot by the cancellation of these claims and respectfully requests that this rejection be withdrawn.

With regard to new claims 37-102, Brown does not teach a kit containing a first aqueous solution consisting of a specifically recited metal salt solution and a second aqueous solution consisting of the oxidizing agent solution sodium hydroxide or tannic acid. Furthermore, Brown does not teach a kit comprising a first component consisting of a measured amount of a specifically recited metal salt, in powder or tablet form, and a second component consisting of a measured amount of the oxidizing agent sodium hydroxide or tannic acid, in powder or tablet form. Therefore, Brown cannot anticipate new claims 37-102.

The rejection of claims 3-10 and 30-36 under 35 U.S.C. § 102(b) as allegedly anticipated by Tennigkeit, U.S. Patent No. 4,992,077, is respectfully traversed. Applicant submits that the rejection of this claim has been rendered moot by the cancellation of these claims and respectfully requests that this rejection be withdrawn.

With regard to new claims 37-102, Tennigkeit does not teach a kit containing a first aqueous solution consisting of a specifically recited metal salt solution and a second aqueous solution consisting of the oxidizing agent solution sodium hydroxide or tannic acid. Furthermore, Tennigkeit does not teach a kit comprising a first component consisting of a measured amount of a specifically recited metal salt, in powder or tablet form,

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and a second component consisting of a measured amount of the oxidizing agent sodium hydroxide or tannic acid, in powder or tablet form. Therefore, Tennigkeit cannot anticipate new claims 37-102.

The rejection of claims 1, 3-6, 9, 10 and 32-36 under 35 U.S.C. § 102(b) as allegedly anticipated by Light, SU 499,297 (English translation), is respectfully traversed. Applicant submits that the rejection of this claim has been rendered moot by the cancellation of these claims and respectfully requests that this rejection be withdrawn.

With regard to new claims 37-102, Light does not teach a kit containing a first aqueous solution consisting of a specifically recited metal salt solution and a second aqueous solution consisting of the oxidizing agent solution sodium hydroxide or tannic acid. Furthermore, Light does not teach a kit comprising a first component consisting of a measured amount of a specifically recited metal salt, in powder or tablet form, and a second component consisting of a measured amount of the oxidizing agent sodium hydroxide or tannic acid, in powder or tablet form. Therefore, Light cannot anticipate new claims 37-102.

The rejection of claims 2-10, 20-22, 30-34 and 36 under 35 U.S.C. § 102(b) as allegedly anticipated by Dombay, U.S. Patent No. 3,554,785, is respectfully traversed. Applicant submits that the rejection of these claims has been rendered moot by the cancellation of these

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claims and respectfully requests that this rejection be withdrawn.

With regard to new claims 37-102, Dombay does not teach a kit containing a first aqueous solution consisting of a specifically recited metal salt solution and a second aqueous solution consisting of the oxidizing agent solution sodium hydroxide or tannic acid. Furthermore, Dombay does not teach a kit comprising a first component consisting of a measured amount of a specifically recited metal salt, in powder or tablet form, and a second component consisting of a measured amount of the oxidizing agent sodium hydroxide and tannic acid, in powder or tablet form. Therefore, Dombay cannot anticipate new claims 37-102.

The rejection of claims 2-10, 20-22, 30-34 and 36 under 35 U.S.C. § 102(b) as allegedly anticipated by Bures, CS145495 (English translation), is respectfully traversed. Applicant submits that the rejection of these claims has been rendered moot by the cancellation of these claims and respectfully requests that this rejection be withdrawn.

With regard to new claims 37-102, Bures does not teach a kit containing a first aqueous solution consisting of a specifically recited metal salt solution and a second aqueous solution consisting of the oxidizing agent solution sodium hydroxide or tannic acid. Furthermore, Bures does not teach a kit comprising a first component consisting of a measured amount of a specifically recited metal salt, in powder or tablet form, and a second component consisting of

a measured amount of the oxidizing agent sodium hydroxide or tannic acid, in powder or tablet form. Therefore, Bures cannot anticipate new claims 37-102.

Rejections Under 35 U.S.C. § 103

The rejection of claims 2-10, 20-22 and 30-36 under 35 U.S.C. § 103 as allegedly obvious over Dombay, *supra*, is respectfully traversed. Applicant submits that the rejection of these claims has been rendered moot by the cancellation of these claims and respectfully requests that this rejection be withdrawn.

With regard to new claims 37-102 and as discussed above, Dombay does not teach or suggest a kit containing a first aqueous solution consisting of a specifically recited metal salt solution and a second aqueous solution consisting of the oxidizing agent solution sodium hydroxide or tannic acid. Furthermore, Dombay does not teach or suggest a kit comprising a first component consisting of a measured amount of a specifically recited metal salt, in powder or tablet form, and a second component consisting of a measured amount of the oxidizing agent sodium hydroxide or tannic acid, in powder or tablet form. Absent such a teaching or suggestion, Dombay cannot render new claims 37-102 obvious.

The rejection of claims 2-10, 20-22 and 30-36 under 35 U.S.C. § 103 as allegedly obvious over Bures, *supra*, is respectfully traversed. Applicant submits that

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the rejection of these claims has been rendered moot by the cancellation of these claims and respectfully requests that this rejection be withdrawn.

With regard to new claims 37-102 and as discussed above, Bures does not teach or suggest a kit containing a first aqueous solution consisting of a specifically recited metal salt solution and a second aqueous solution consisting of the oxidizing agent solution sodium hydroxide or tannic acid. Furthermore, Bures does not teach or suggest a kit comprising a first component consisting of a measured amount of a specifically recited metal salt, in powder or tablet form, and a second component consisting of a measured amount of the oxidizing agent sodium hydroxide or tannic acid, in powder or tablet form. Absent such a teaching or suggestion, Bures cannot render new claims 37-102 obvious.

#### **CONCLUSION**

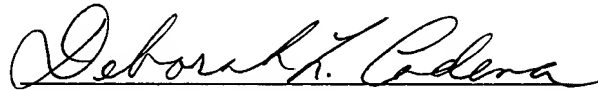
In light of the amendments and remarks herein, Applicant submits that the claims are now in condition for allowance and respectfully requests a notice to this

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effect. The Examiner is invited to call the undersigned agent or Cathryn Campbell if there are any questions.

Respectfully submitted,

October 24, 2003  
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